

112TH CONGRESS
1ST SESSION

H. R. 2173

To facilitate the development of offshore wind energy resources.

IN THE HOUSE OF REPRESENTATIVES

JUNE 14, 2011

Mr. WITTMAN (for himself, Mr. HASTINGS of Washington, Mr. LAMBORN, Mr. BROUN of Georgia, and Mr. DUNCAN of Tennessee) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To facilitate the development of offshore wind energy
resources.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited at the “Advancing Offshore
5 Wind Production Act”.

6 **SEC. 2. OFFSHORE METEOROLOGICAL SITE TESTING AND**
7 **MONITORING PROJECTS.**

8 (a) DEFINITION OF AN OFFSHORE METEOROLOG-
9 ICAL SITE TESTING AND MONITORING PROJECT.—In this
10 section, the term “offshore meteorological site testing and

1 monitoring project” means a project carried out on or in
2 the waters of the Outer Continental Shelf administered
3 by the Department of the Interior to test or monitor
4 weather (including wind, tidal, current, and solar energy)
5 using towers, buoys, or other temporary ocean infrastruc-
6 ture, that—

7 (1) causes—

8 (A) less than 1 acre of surface or seafloor
9 disruption at the location of each meteorological
10 tower or other device; and

11 (B) not more than 5 acres of surface or
12 seafloor disruption within the proposed area af-
13 fected by for the project (including hazards to
14 navigation);

15 (2) is decommissioned not more than 5 years
16 after the date of commencement of the project, in-
17 cluding—

18 (A) removal of towers, buoys, or other tem-
19 porary ocean infrastructure from the project
20 site; and

21 (B) restoration of the project site to ap-
22 proximately the original condition of the site;
23 and

1 (3) provides meteorological information ob-
2 tained by the project to the Secretary of the Inte-
3 rior.

4 (b) OFFSHORE METEOROLOGICAL PROJECT PERMIT-
5 TING.—

6 (1) IN GENERAL.—The Secretary of the Inte-
7 rior shall by regulation require that any applicant
8 seeking to conduct an offshore meteorological site
9 testing and monitoring project on the outer Conti-
10 nental Shelf (as that term is defined in the Outer
11 Continental Shelf Lands Act (43 U.S.C. 1331 et
12 seq.)) must obtain a permit for the project in ac-
13 cordance with this subsection.

14 (2) PERMIT TIMELINE AND CONDITIONS.—

15 (A) DEADLINE FOR APPROVAL.—The Sec-
16 retary shall decide whether to issue a permit for
17 an offshore meteorological site testing and mon-
18 itoring project within 30 days after receiving an
19 application for the permit.

20 (B) PUBLIC COMMENT AND CONSULTA-
21 TION.—During the period referred to in sub-
22 paragraph (A), the Secretary shall—

23 (i) provide an opportunity for submis-
24 sion of comments by the public; and

1 (ii) consult with the Secretary of De-
2 fense, the Commandant of the Coast
3 Guard, and the heads of other Federal,
4 State, and local agencies that would be af-
5 fected by issuance of the permit.

6 (C) DENIAL OF PERMIT; OPPORTUNITY TO
7 REMEDY DEFICIENCIES.—If the application is
8 denied, the Secretary shall provide the appli-
9 cant—

10 (i) in writing, clear and comprehensive
11 reasons why the application was not ap-
12 proved and detailed information concerning
13 any deficiencies in the application; and

14 (ii) an opportunity to remedy such de-
15 ficiencies.

16 (c) NEPA EXCLUSION.—Section 102(2)(C) of the
17 National Environmental Policy Act of 1969 (42 U.S.C.
18 4321 et seq.) shall not apply with respect to an offshore
19 meteorological site testing and monitoring project.

20 (d) PROTECTION OF INFORMATION.—The informa-
21 tion provided to the Secretary of the Interior pursuant to
22 subsection (a)(3) shall be treated by the Secretary as pro-
23 prietary information and protected against disclosure.

○